

DECLARATORY

~~Improvement~~ Res. No. 1258-1970

For the Vacation of the first alley south  
of Hendricks Street from the east property  
line of Martin Street to the east property  
line of Lot No. 56, Bond's 3rd Addition.

Resolution Adopted: Feb. 9, 1970

Confirmed:

March 12, 1970

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

April 29, 1971

DECLARATORY RESOLUTION NO. 1258-1970

For the Vacation of the first alley south of  
Hendricks Street from the east property line of  
Martin Street to the east property line of  
Lot No. 56, Bond's 3rd Addition.

PLANS ORDERED:

ADOPTED: Feb. 9, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: Feb. 13 & 20, 1970  
Notices mailed Feb. 27, 1970

HEARING ON CONFIRMATION: Thurs., March 12, 1970, 3:30 p. m.

CONFIRMED: March 12, 1970

ASSESSMENT ROLL ORDERED: March 12, 1970

ASSESSMENT ROLL APPROVED: April 7, 1971

HEARING ON CONFIRMATION OF ASSESSMENT ROLL: April 29, 1971 at 3:30 pm.

NOTICE SERVED: April 16, 1971

ASSESSMENT ROLL CONFIRMED: April 29, 1971.

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the first alley south of Hendricks Street from the east property line of Martin Street to the east property line of Lot No. 56, Bond's 3rd Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley south of Hendricks Street from the east property line of Martin Street to the east property line of Lot 56, Bond's 3rd Addition.

NOTE: The entire 10 foot wide vacated alley shall revert back to Lots 55 and 56, Bond's 3rd Addition, because it was originally appropriated from this addition.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lot 55, 56 & 57, Bond's 3rd Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described alley shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, ~~water mains, gas mains,~~ electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter of Section Eleven, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 9 DAY OF Feb. 1970

Attest:

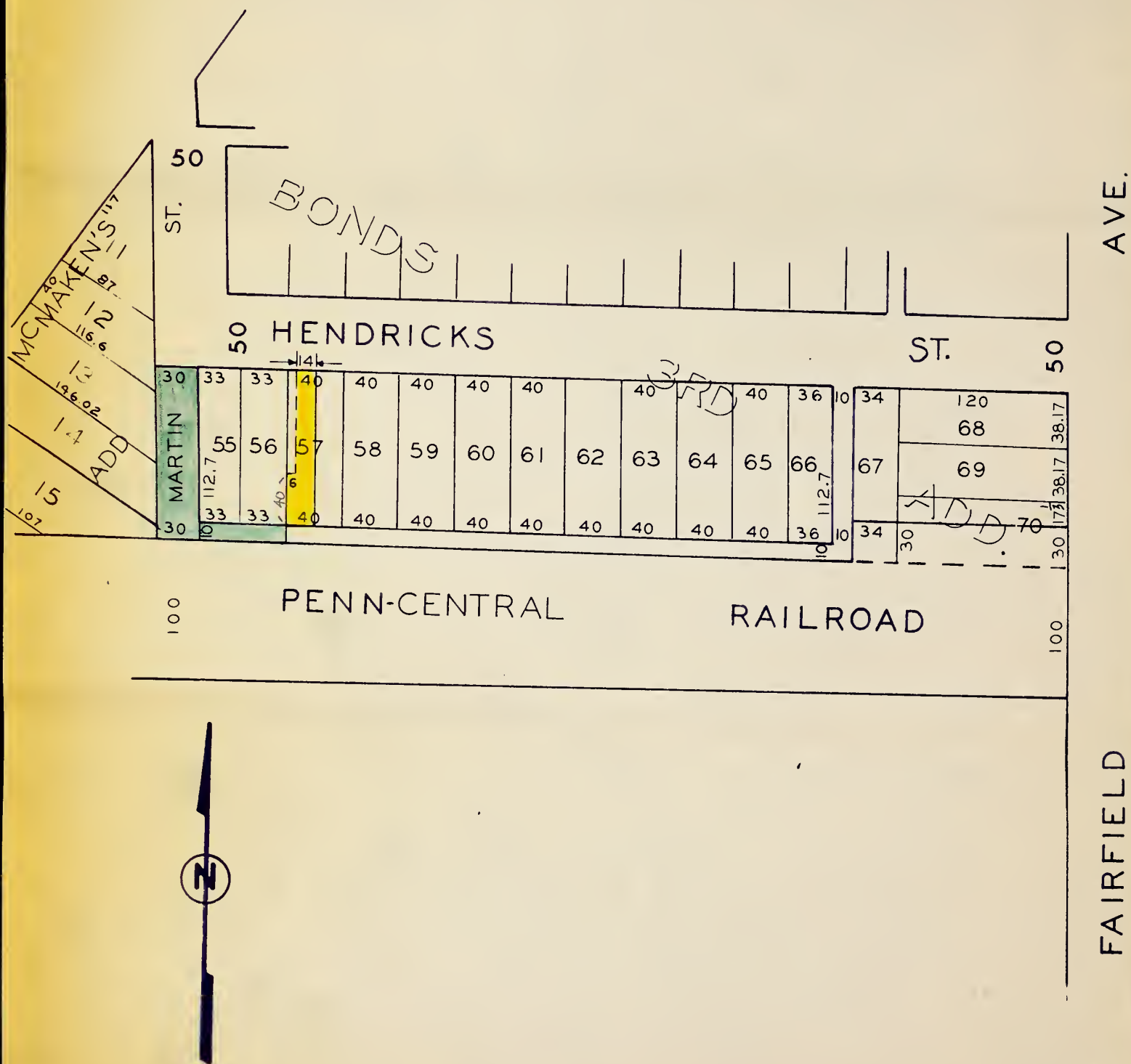
Secretary Board of Public Works.

Robert W. Walman  
Board of Public Works.

STREET TO BE VACATED

ALLEY TO BE VACATED

# ALLEY TO BE DEDICATED





OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O.125-69

54-2-9

Aug. 12, 1969

Date

NOTED

☒ F.S.E.

☐ R.W.D.

☐ G.F.G.

Date

To City Engineer

Subject Vacation - Alley Bond's 3rd Add.

Received a petition to Vacate the alley located south of lots 55, 56 and the west half of lot 57 in Bonds Third Addition to the City of Fort Wayne.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
encl. copy of petition

Signed \_\_\_\_\_

Reply:

1258

February 4, 1970

Declaratory Resolution, drawing and property ownership list completed and attached.

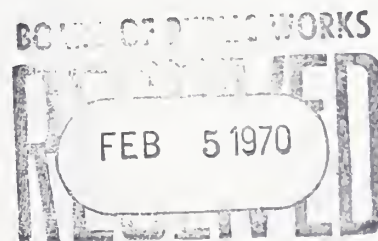
We reduced the requested vacated area by 6 feet to provide sufficient turning radius for refuse trucks.

Easement grants are needed by several utility companies and they should be completed prior to the public hearing.

The petitioner has also agreed to dedicate a new alley access for residents to the east.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

55-3-2

**G.F.G.**

**Date** March 12, 1970

Date\_\_\_\_\_

Subject Dec. 1258-1970 first alley south of Hendricks St.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
encl. Res. & P. O. List

**Reply:**

This assessment roll was delayed until all easement grants were secured and the petitioner purchased an additional piece of property.

DEB:lc  
attachs.

APR 6 1971

Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

ENGINEERING  
DEPT. OF STREETS

NOTED

DATE March 31, 1971

☐ F.S.E.  
☒ R.W.D.  
☐ G.F.G.

TO: Board of Public Works

SUBJECT: B. O. #125-1969

Date

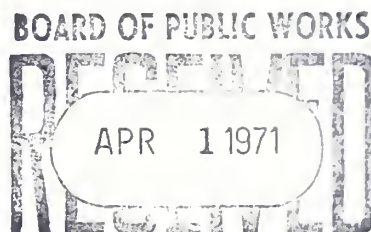
Re: Declaratory Resolution No. 1258-1969 which provided for the vacation of the first alley south of Hendricks Street from the east property line of Martin Street to the east property line of Lot No. 56, Bond's 3rd Addition.

We are attaching copies of four (4) recorded easement grants in connection with the above described alley vacation. They provided easement rights for General Telephone Co. and the City Sewer, Water and Electrical Engineering Departments.

Please file them with the resolution as a permanent record.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



*See Grant of Easement in the  
for a record*



## GRANT OF EASEMENT

16320

This Indenture Witnesseth That: LOCAL 901, TRUST, by and through its duly constituted Trustees, of Allen County, State of Indiana, hereinafter referred to as "Grantor", for and in consideration of One Dollar, the receipt of which is hereby acknowledged, does hereby grant, quit-claim, and convey to GENERAL TELEPHONE COMPANY OF INDIANA, of Allen County, Indiana, hereinafter referred to as "Grantee", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove an underground conduit and cable within, along, and across the following described real estate in Allen County, State of Indiana, to-wit:

Martin Street from the South line of Hendricks Street to the North line of Penn-Central Railroad.

and also a lateral pole line and aerial cable along and across the following described real estate in Allen County, Indiana, to-wit:

10-foot alley from the East line of Martin Street to the Southerly projection of the East line of Lot No. 56 in Bond's Third Addition to the City of Fort Wayne

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this instrument.

Dated this 10th day of March, 1970.

LOCAL 901, TRUST

By:

<u>E. Neil Enz</u>	Trustee
<u>Arthur R. Keller</u>	Trustee
<u>Robert E. Younghaus</u>	Trustee
<u>John N. Cavanaugh</u>	Trustee
<u>Edwin J. Meyer</u>	Trustee
<u>Gene P. Volkert</u>	Trustee

Allen County Recorder

1970 OCT 6 PM 1 27

DULY ENTERED FOR TAXATION

OCT - 6 1970

Walter A. Summers  
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS

Before me, a Notary Public, in and for said County and State, this 10th day of March, 1970, personally appeared E. Neil Enz, Arthur R. Keller, Robert E. Younghaus, John N. Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to be known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Grant of Easement for and on behalf of said Local 901, Trust, and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

My Commission Expires: 8/16/1971

Anita Rhylbia Kellerman

Notary Public

This instrument prepared by Max E. Hobbs, Attorney,  
1010 Lincoln Tower  
Fort Wayne, Indiana

Instrument D 5227

will call



GRANT OF EASEMENT

This Indenture Witnesseth, that LOCAL 901, TRUST, by and through its duly constituted Trustees, of Allen County, Indiana, Owner of Lots Numbered 55 and 56 in Bond's Third Addition to the City of Fort Wayne, Allen County, Indiana, do hereby grant an easement in and over said above lots for the installation, replacement, relocation and maintenance of poles, wires and conduits for any public or quasi-public utility or service, and the right to perform any and all acts necessary to carry out purposes of said easement, described as follows, to-wit:

Martin Street from the South Line of Hendricks Street to the North line of Penn-Central Railroad, in Fort Wayne, Allen County, Indiana.

Also, the 10-foot alley from the East line of Martin Street to the Southerly projection of the East line of Lot Numbered 56 in Bond's Third Addition to the City of Fort Wayne, Allen County, Indiana.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this Grant.

Executed this 10th day of March, 1970.

LOCAL 901, TRUST

By:

E. Neil Enz Trustee  
Arthur R. Keller Trustee  
Robert E. Younghaus Trustee  
John Cavanaugh Trustee  
Edwin J. Meyer Trustee  
Gene P. Volkert Trustee

DULY ENTERED FOR TAXATION

OCT - 6 1970

Walter D. Summers  
 AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public, in and for said County and State this 10th day of March, 1970, personally appeared E. Neil Enz, Arthur R. Keller, Robert E. Younghaus, John Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to me known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Grant of Easement for and on behalf of said Local 901, Trust, and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

Irma Phyllis Kellerman  
 Notary Public

My Commission Expires:

8/16/1971

This instrument prepared by Max E. Hobbs, Attorney

ALLEN COUNTY RECORDER  
 1970 OCT 6 PM 1 27

Instrument D 5228

will call

GRANT OF EASEMENT

16322

This Indenture Witnesseth That: LOCAL 901, TRUST, by and through its duly constituted Trustees, of Allen County, State of Indiana, hereinafter referred to as "Grantor", for and in consideration of One Dollar, the receipt of which is hereby acknowledged, does hereby grant, quit-claim, and convey to the CITY OF FORT WAYNE, hereinafter referred to as "Grantee", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove a water main under, through, along, across and over the following described real estate in Allen County, in the State of Indiana, to-wit:

Martin Street from the South line of Hendricks Street to the North line of Penn-Central Railroad.

Also, the 10-foot alley from the East line of Martin Street to the Southerly projection of the East line of Lot Numbered 56 in Bond's Third Addition to the City of Fort Wayne.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

Executed this 10th day of March, 1970.

LOCAL 901, TRUST

By: E. Neil Enz Trustee  
Arthur R. Keller Trustee  
Robert E. Younghaus Trustee  
John Cavanaugh Trustee  
Edwin J. Meyer Trustee  
Gene P. Volkert Trustee

DULY ENTERED FOR TAXATION

OCT - 6 1970

Walter H. Summers  
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public, in and for said County and State this 10th day of March, 1970, personally appeared E. Neil Enz, Arthur R. Keller, Robert E. Younghaus, John Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to me known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Grant of Easement for and on behalf of said Local 901, Trust and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

My Commission Expires:  
8/16/1971

Arleta Phyllis Kellerman  
Notary Public

This instrument prepared by Max E. Hobbs, Attorney  
1010 Lincoln Tower  
Fort Wayne, Indiana 46802

Instrument D 5229



GRANT OF EASEMENT

THIS INDENTURE WITNESSETH THAT: LOCAL 901, TRUST, by and through its duly constituted Trustees, of Allen County, State of Indiana, hereinafter referred to as "Grantor", for and in consideration of One Dollar, the receipt of which is hereby acknowledged, does hereby grant, quit-claim, and convey to the CITY OF FORT WAYNE, hereinafter referred to as "Grantee", a permanent easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove, a sewer line, along and across the following described real property, located in Allen County, State of Indiana, to-wit:

Martin Street from the South line of Hendricks Street to the North line of Penn-Central Railroad.

Also, the 10-foot alley from the East line of Martin Street to the Southerly projection of the East line of Lot Numbered 56 in Bond's Third Addition to the City of Fort Wayne.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

Executed this 10th day of March, 1970.

LOCAL 901, TRUST

By:

E. Neil Enz  
Trustee

Arthur R. Keller  
Trustee

Robert E. Younghaus  
Trustee

John Cavanaugh  
Trustee

Edwin J. Meyer  
Trustee

Gene P. Volkert  
Trustee

DULY ENTERED FOR TAXATION

OCT - 6 1970

Walter S. Summers  
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public, in and for said County and State this 10th day of March, 1970, personally appeared E. Neil Enz, Arthur R. Keller, Robert E. Younghaus, John Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to me known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Grant of Easement for and on behalf of said Local 901, Trust and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

My Commission Expires: 8/16/1971

Arleta Phyllis Keller  
Notary Public

This instrument prepared by Max E. Hobbs, Attorney,  
1010 Lincoln Tower, Ft. Wayne, Indiana.

Instrument D 5226

Walter S. Summers



ENGINEERING  
DEPT. OF STREETS

DATE March 30, 1971

☒ F.S.E.  
☒ R.W.D.  
☐ G.F.G.

TO: Board of Public Works

SUBJECT: Board Order Nos. 124 & 125-1969

Date

Re: Decl. Res. No. 1257-1969 which provided for the vacation of Martin Street from Hendricks Street to the Penn-Central Railroad.

Decl. Res. No. 1258-1969 which provided for the vacation of the first alley south of Hendricks Street from Martin Street to the east line of Lot No. 56, Bond's 3rd Addition.

I am attaching the original and two copies of a recorded alley dedication which was obtained in connection with the above described street and alley vacations. The vacations were granted on the condition that the petitioner dedicate and pave a new alley.

Please file the original with your dedication records and a copy with each of the above resolutions.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.

RECEIVED  
MAR 31 1971  
RECEIVED

55-3-2

B.O.125-69

March 12, 1970

City Engineer

Dec. 1258-1970 first alley south of Hendricks St.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman

Robert W. Dahman

George F. Gable

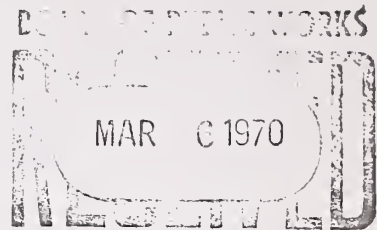
BOARD OF PUBLIC WORKS

1c

encl. Res. & P. O. List



**PENN CENTRAL COMPANY**



Fort Wayne, Indiana  
March 6, 1970

Board of Public Works  
City Hall  
301 E. Berry St.  
Fort Wayne, Indiana 46802

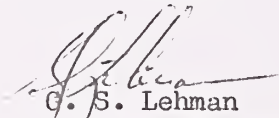
NOTE  
☒ F.S.E.  
☐ R.W.D.  
☐ G.F.G.  
Date \_\_\_\_\_

Gentlemen:

This will acknowledge receipt of a copy of Declaratory Resolutions 1257-970 and 1258-1970, which vacates Martin Street and the alley South of Hendricks Street from Martin Street to east line of Lot 56 Bond's Third Addition.

The Penn Central Transportation Company has no objections to these resolutions and will not attend the hearing on March 12, 1970. We further understand after a discussion with Don Bodeker, that the Railroad will not receive one half ownership of the vacated alley.

Yours truly,

  
G. S. Lehman  
Division Engineer

PJH:LP



City of Fort Wayne



ENGINEERING DEPARTMENT

425 SOUTH CALHOUN STREET

FORT WAYNE INDIANA

February 20, 1970

Mr. Ed Meyer  
Local 901 - IUEW  
1427 Broadway  
Fort Wayne, Indiana

Subject: Declaratory Resolutions No. 1257 and No. 1258

Dear Mr. Meyer:

This is to confirm the understanding reached at our meeting on February 18, 1970, regarding the alley vacation, dedication, etc. at the corner of Hendricks and Martin Streets. It was noted that you plan to construct a new alley on the East side of your property. I recommended that the drainage from your new parking lot be diverted to this new alley and then to Hendricks Street. The reason for diverting this surface water to the street is because the existing combination sewer system is overloaded.

You pointed out that a pole in the existing alley - City Light #17718 - falls in the middle of your proposed new alley and therefore would require moving. By copy of this letter, I am advising the City Light officials and they can contact you to complete these moving arrangements.

It was noted that the sidewalk on the South side of Hendricks Street in the area where you propose to construct the parking lot is presently brick. I recommended this be replaced with new concrete sidewalk at the time your parking lot construction is in progress.

If the above does not represent your understanding of our conclusions, please feel free to contact the undersigned.

Yours truly,

A handwritten signature in dark ink, appearing to be "RB" or "Bonar".

Ron Bonar  
Chief Sewer Engineer

gk

cc: Board of Works  
Mr. Jack Hinman  
Mr. Ken Traylor  
Mr. Troy Yeoman

BOARD OF PUBLIC WORKS

FEB 13 1970

NOTED

☒ F.S.E.  
☐ R.W.D.  
☐ G.F.G.

Date February 11, 1970

February 11, 1970

Mr. Max Hobbs  
Attorney at Law  
1010 Lincoln Bank Tower  
Fort Wayne, Indiana 46802

Subject: Declaratory Resolutions No. 1257-1970 and 1258-1970

Dear Mr. Hobbs:

With reference to the above vacations, attached is a Grant of Easement form required for the sewers. Please insert the names of the appropriate owners, have executed and return to this office for recording.

If you have any questions on the above, please advise.

Yours truly,

RB  
Ron Bonar  
Chief Sewer Engineer

gk

attachment

cc: Board of Works  
Mr. Don Bodeker

*See drawing in 1257*

City of Fort Wayne

CITY ENGINEERING DEPT.  
425 S. CALHOUN STREET  
FORT WAYNE, IND. 46802

BOARD OF PUBLIC WORKS

RECEIVED  
FEB 13 1970

NOTED

☒ F.S.E.  
☐ R.W.D.  
☐ G.F.G.

Date Km

February 11, 1970

Mr. Max Hobbs  
Attorney at Law  
1010 Lincoln Bank Tower  
Fort Wayne, Indiana 46802

Re: Decl. Res. No. 1257-1970: For the vacation of Martin Street from the south property line of Hendricks Street to the north right of way line of the Penn-Central Railroad.

Decl. Res. No. 1258-1970: For the vacation of the first alley south of Hendricks Street from the east property line of Martin Street to the east property line of Lot No. 56, Bond's 3rd Addition.

Dear Max:

Declaratory Resolutions have been submitted to the Board of Public Works for the above described street and alley vacations and a public hearing is scheduled for 3:30 P.M., March 12th, in the board conference room.

As was previously advised, several utility companies require easements before these vacations can be confirmed. Please contact the individuals listed below to obtain the necessary easement grant forms.

		<u>Easement Required</u>
General Telephone Co.	Charles Leuenberger	Street & Alley
City Utilities - Sewer Engineering	Ron Bonar	Street & Alley
City Utilities - Water Engineering	H. A. Kerby	Street only
City Utilities - Electrical Engineering	J. H. Hinman	Street & Alley

If further information is necessary, please advise.

Yours very truly,

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc

cc: Board of Public Works, Charles Leuenberger, Ron Bonar, H.A. Kerby,  
J. H. Hinman  
(B.O. 1124 & 1125 1966)





September 8, 1969

William J. Jones  
City Plan Director

Thomas Manny  
Traffic Engineer

*See P.O. 124  
Martin St.  
for dwg.*

Please submit your opinion and recommendation on the following proposed vacations:

Martin Street from the south property line of Hendricks Street to the north right of way line of the Penn-Central Railroad.

The first alley south of Hendricks Street from the east property line of Martin Street to a point 72 feet east thereof.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.

✓cc: Board of Public Works  
(Board Order No. 124 & 125 - 1969)

NOTED

☒ F.S.E.  
☒ R.W.D.  
☐ G.F.C.

Date \_\_\_\_\_

*Alley*  
*BA 125-69*

STATE OF INDIANA     )  
                               )SS:  
 CITY OF FORT WAYNE )

BEFORE THE BOARD OF PUBLIC WORKS)     PETITION FOR VACATION OF  
   )     PORTIONS OF A STREET AND  
 OF THE CITY OF FORT WAYNE         )     ALLEY

Comes now petitioner, Local 901 Trust, and for its petition for the passage of a resolution providing for vacation of a certain portion of a street and alley, respectfully shows to this honorable Board:

1. Petitioner is a duly organized charitable, educational, and benevolent trust, organized for the benefit of Local 901, International Union of Electrical, Radio and Machine Workers of America (AFL-CIO).

2. Petitioner is the owner of real estate commonly known as Local 901 Hall, located at 1427 Broadway, Fort Wayne, Indiana. Said real estate is more particularly described as follows:

Lots 13, 14, 15 and 16 in McMaken's Addition  
 to the City of Fort Wayne, Allen County, Indiana.

3. Petitioner has entered into a contract for the purchase of the real estate commonly known as 627, 631 and 633 Hendricks Street, the legal description of which is Lots 55, 56 and the West Half of Lot 57 in Bonds Third Addition to the City of Fort Wayne, Allen County, Indiana. Said contract is contingent upon petitioner's obtaining permission of the Board of Zoning Appeals of the City of Fort Wayne to use said real estate for off-street parking as an adjunct to the Local 901 Hall. Petitioner has petitioned said Board of Zoning Appeals for such approval.

4. In the event approval is granted as aforesaid, it is the intent of the petitioner to demolish and remove the improvements located on the real estate it is contracting to purchase and use the same for off-street parking by members of Local 901 IUE.

5. In order to put said real estate to the best, most practical and economic use as an off-street parking lot, it is necessary to vacate the following portions of a certain street and alley under the jurisdiction of this honorable Board:

Martin Street from its intersection with the south edge of Hendricks Street to the north boundary of the Penn Central Railroad right-of-way.

The alley located south of Lots 55, 56 and the West Half of Lot 57 in Bonds Third Addition to the City of Fort Wayne.

6. Petitioner is willing, upon taking title to said real estate, which is adjacent to said street and alley, to dedicate such areas as may be necessary for alley purposes to provide access to the remaining alley which parallels the Penn Central Railroad right-of-way. Petitioner is further willing to dedicate to the City of Fort Wayne and any public utilities any such easement as may be necessary for the maintenance of utilities presently upon said real estate. Petitioner is informed that the only public utility presently located in the areas desired to be vacated is a public sewer maintained by the City of Fort Wayne. Petitioner is informed by the City Engineering Department that its proposed use of said real estate will not interfere with the maintenance of said sewer line.

7. Concurrent herewith petitioner has filed a petition with the Plan Commission of the City of Fort Wayne asking its recommendation to this honorable Board for the vacation of said street and alley. Petition was filed with said Plan Commission pursuant to the provisions of Burns Indiana Annotated Statutes Section 53-744.

WHEREFORE, petitioner prays this Board upon proper notice to vacate the portions of the aforescribed street and alley



when and if the Board of Zoning Appeals of the City of Fort Wayne grants the special use as set forth above, and for all other proper relief in the premises.

Dated this 16<sup>th</sup> day of July, 1969.

LOCAL 901 TRUST

By: Max E. Hobbs

Max E. Hobbs, its attorney

10688

DEDICATION OF ALLEY

THIS INDENTURE WITNESSETH THAT LOCAL 901, TRUST, by and through its duly constituted Trustees, Grantor, of Allen County, in the State of Indiana, quit-claims, releases, conveys and dedicates to the CITY OF FORT WAYNE, Allen County, Indiana, Grantee, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in Allen County, in the State of Indiana, to-wit:

The East fourteen (14) feet of the West Half of Lot Numbered 57 in Bond's Third Addition to the City of Fort Wayne, together with the West six (6) feet of the South forty (40) feet of said Lot 57 in Bond's Third Addition to the City of Fort Wayne

for use by the public as a public alley connecting Hendricks Street with the first alley South of Hendricks Street.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable with respect to the transfer made herein.

Dated this 10th day of March, 1970.

LOCAL 901, TRUST

By: E. Neil Enz Trustee  
Arthur R. Keller Trustee  
Robert E. Younghaus Trustee  
John H. Cavanaugh Trustee  
Edwin J. Meyer Trustee  
Gene P. Volkert Trustee

DULY ENTERED FOR TAXATION

JUL - 9 1970

Walter H. Summers  
 AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public, in and for said County and State this 10th day of March, 1970, personally appeared E. Neil Enz, Arthur R. Keller, Robert E. Younghaus, John H. Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to me known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Dedication of Alley for and on behalf of said Local 901, Trust, and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

My Commission Expires:  
8/16/1971

Ernest Phyllis Kellerman  
 Notary Public

This instrument prepared by Max E. Hobbs, Attorney,  
 1010 Lincoln Tower, Ft. Wayne, Indiana

Instrument D 2969

DEDICATION OF ALLEY

THIS INDENTURE WITNESSETH THAT LOCAL 901, TRUST, by and through its duly constituted Trustees, Grantor, of Allen County, in the State of Indiana, quit-claims, releases, conveys and dedicates to the CITY OF FORT WAYNE, Allen County, Indiana, Grantee, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following described real estate in Allen County, in the State of Indiana, to-wit:

The East fourteen (14) feet of the West Half of Lot Numbered 57 in Bond's Third Addition to the City of Fort Wayne, together with the West six (6) feet of the South forty (40) feet of said Lot 57 in Bond's Third Addition to the City of Fort Wayne.

for use by the public as a public alley connecting Hendricks Street with the first alley South of Hendricks Street.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable with respect to the transfer made herein.

Dated this 10th day of March, 1970.

LOCAL 901, TRUST

By:

E. Neil E...

Trustee

Arthur R. Keller

Trustee

Robert E. Younghaus

Trustee

John N. Cavanaugh

Trustee

Edwin J. Meyer

Trustee

Gene P. Volkert

Trustee

DULY ENTERED FOR TAXATION

JUL - 9 1970

Walter H. Summers  
AUDITOR OF ALLEN COUNTY

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public, in and for said County and State this 10th day of March, 1970, personally appeared E. Neil E..., Arthur R. Keller, Robert E. Younghaus, John N. Cavanaugh, Edwin J. Meyer, and Gene P. Volkert, to me known to be the Trustees of Local 901, Trust, and acknowledged the execution of the foregoing Dedication of Alley for and on behalf of said Local 901, Trust and by its authority.

WITNESS my hand and notarial seal, this 10th day of March, 1970.

My Commission Expires:  
8/16/1971

Anita Phyllis Keller

Notary Public

This instrument prepared by Max E. Hobbs, Attorney,  
1010 Lincoln Tower, Ft. Wayne, Indiana



# NOTICE OF IMPROVEMENT

## OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, .....February 27, 1970.....

1258

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did  
Declaratory  
pass Improvement/Resolution No. ....1258-1970.....  
providing for the Vacation of the first alley south of Hendricks Street from the east  
property line of Martin Street to the east property line of Lot 56, Bond's 3rd. Add.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the de-  
tailed plans, profile and specifications which are now on file and may be seen in the office of the Board  
of Public Works.

The Board has fixed.....Thursday, March 12, 1970 at 3:30 pm in Conference Room 102.....  
a date and time when they will hear and consider objections or remonstrances from all persons whose  
property will be affected by the proposed improvement.

You are hereby notified that

Bond's 3rd. Add.

Railroad right of way

is subject to assessment for said proposed improvement under the Improvement Laws passed by the Gen-  
eral Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supple-  
mental thereof.

BOARD OF PUBLIC WORKS



## DECLARATORY

**Improvement Resolution No. 1258 - 1970** For THE VACATION of THE FIRST ALLEY SOUTH of HENDRICKS STREET FROM THE EAST PROPERTY LINE of MARTIN STREET TO THE EAST PROPERTY LINE of LOT #56 BOND'S 3RD ADDITION.

-2

13	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O.L.	
1	LOCAL 901 REAL ESTATE TRUST	1427 BROADWAY	2	55		BOND'S 3RD ADDITION
2	" " " "	" "	2	56		" " "
3	" " " "	" "	2	57-W 1/2		" " "
4	SOVINE, JOSEPH	RR1 Craigville, Ind 4731	2	57-E 1/2		" " "
5	GASKILL, WILLIAM H. SR + LENA	623 Hendricks St	2	58		" " "
6	CUELLAR, TONY + MARY RUBY	617 " "	2	59		" " "
7	SCOFIELD, BRUCE A. + DOROTHY C.	2418 Hazelwood Ave	5	60		" " "
8	SQUIRES, CLAREN P. SR + GLADYS M	1011 W. Wayne H Apt #1	4	61		" " "
9	ORR, STELLA	607 Hendricks St	2	62		" " "
10	BROWN, L. ETHEL	603 " "	2	63-W 30		" " "
11	ROBINSON, JOSEPH + HARRIET F.	6622 Stillborn Rd	5	63-E 10 + W 20' Lot	64	" " "
12	WILLIS, WILEY N. + EVA M	2101 North Highland Blvd	8	64-E 20 + W 10' Lot	65	" " "
13	SUMMERS, IRENE	521 Hendricks St	2	65-E 30		" " "
14	MOTOR PART + EQUIPMENT Co. INC	222 W. Superior St	2	66		" " "
15	PENN-CENTRAL RAIL ROAD CO	231 W. Baker	2			RAILROAD RIGHT OF WAY
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						
42						
43						
44						
45						
46						
47						
48						
49						
50						
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
			TOTAL			

NOTICES MAILED OR SIGNED

Feb 27, 1970

By: [Signature]

1258